

**QUALIFIED INDIVIDUALS  
DISABILITIES POLICY STATEMENT**

# ARKANSAS WORKFORCE INVESTMENT BOARD

## AMERICANS WITH DISABILITIES ACT QUALIFIED INDIVIDUALS WITH DISABILITIES POLICY STATEMENT

### 1. PURPOSE

It shall be the policy of the Arkansas Workforce Investment Board to ensure that administrative entities operating under the Workforce Investment Act (WIA) are aware of and have an understanding of the Americans with Disabilities Act (ADA) as it relates to the fair treatment of "qualified individuals with disabilities." By definition, employers are prohibited from discriminating against "qualified individuals with disabilities" who, with or without reasonable accommodation, can perform the essential functions of a job.

Pursuant to the guidelines established under Title I of the ADA, it shall be the policy of the Arkansas Workforce Investment Board that all employees and prospective employees have an equal opportunity for advancement and/or employment. Specifically, the agency shall not discriminate in employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. This policy shall apply to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities.

### 2. SCOPE

This policy applies to all administrative entities operating under the Workforce Investment Act.

### 3. RESPONSIBILITIES

It shall be the responsibility of each administrative entity to develop a written job description for each position (regular full-time and intermittent) in their respective areas. The job description must identify the **essential** and **non-essential** job functions and will include at a minimum:

- A. The administrative entities' judgment as to which functions are essential;
- B. Written job descriptions which shall be prepared before advertising a vacancy;
- C. The amount of time spent performing the function;

To assist in the development of essential job functions, the following factors must be considered:

- A. The consequences of not requiring an incumbent to perform the function;
- B. Work experience of past incumbents in the job; and
- C. Current work experience of incumbents in similar jobs.